VIA FACSIMILE

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Fulbright & Jaworski L.L.P.

Launillas

LUD 5538:1 (09807339)- NDH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)

CHEN, et al.

Serial No

09/270,437

Filed

March 16, 1999

For

ISOLATED NUCLEIC ACID MOLECULES ENCODING

CANCER ASSOCIATED ANTIGENS, THE ANTIGENS PER

SE, AND USES THEREOF

Art Unit

1642

Examiner

K. Canella

January 30, 2003

Hon. Commissioner of Patents Washington, D.C. 20231

SUBMISSION PRIOR TO INTERVIEW

A telephonic interview has been set up in this case for <u>Friday</u>, <u>January 31, 2003</u>. In order to facilitate this interview, applicants submit the following outline:

I. The Rejection of Claims 108, 129 and 130 (point 4 of the action)

Applicants will submit a new CRF. There is no need to discuss this.

II. The Rejection of Claims 143 & 144 (point 5 of the action)

Applicants simply do not understand the examiner's interpretation of these claims. The following <u>proposal</u> for claim 143 is presented, and is based upon what applicants understand of the rejection.

"A composition comprising an expression vector, wherein said expression vector encodes one or more peptides, wherein each of said peptides consists of 8 to 25 amino acids, wherein said 8 to 25 amino acids are present in consecutive order in the protein encoded by isolated nucleic acid molecule of claim 110, and a pharmaceutically acceptable adjuvant."

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III. The Rejection of claims 108, 129, 130 (point 6)

"Defined by" will be replaced by --as set forth in--

"Comparing" should be --comprising--, and "portion" refers to the physical containment. This is language that is standard in kit claims and, frankly applicants do not understand the objection.

IV. The Objection to claims 129, 134 and 141 (point 7)

All of these claims will be cancelled.

V. The Rejection of claims 126, 143 and 144 (point 8)

Claim 126 will be cancelled. Applicants have attempted to address the rejection of claims 143 & 144, <u>supra</u>, but have already confessed to not understanding the examiner's interpretation.

Respectfully submitted,

FULBRIGHT & JAWORSKI, L.L.P.

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FACSIMILE TRANSMISSION

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LUD 5538.1

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